

MINUTES FOR THE ADJOURNED
REGULAR CITY COUNCIL MEETING
CITY OF UNION CITY
APRIL 22, 2003, 6:00 P.M.
COUNCIL CONFERENCE ROOM
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA

Vice Mayor Elias called the meeting to order at 6:15 p.m.

ROLL CALL: Present: Councilmembers Dutra-Vernaci, Fernandez, Valle, Vice
Mayor Elias
Absent: Mayor Green

Mayor and Council met in closed session on the following:

CLOSED SESSION:

A. **CONFERENCE WITH LABOR NEGOTIATORS:**
Tony Acosta, Larry Cheeves (possible resolution relating to health care providers)

Employee Organizations: Local 790, Professional Entity, POA, IAFF Local #1946,
Management

Meeting adjourned at 7:10 p.m.

**AGENDA FOR THE REGULAR
CITY COUNCIL MEETING OF
THE CITY OF UNION CITY
TUESDAY, APRIL 22, 2003, 7:00 P.M.,
COUNCIL CHAMBERS
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

Mayor Green called the meeting to order at 7:22 p.m.

Girl Scout Troop 2283 performed the flag ceremony and led the audience in the salute to the flag.

ROLL CALL: Present: Councilmembers Dutra-Vernaci, Fernandez, Valle, Vice
Mayor Elias, Mayor Green
Absent: None

Councilmember Valle recused himself from this item due to conflict of interest.

Vern Smith, Housing Coordinator, gave the staff report.

Vice Mayor Elias moved, seconded by Councilmember Fernandez to approve resolution, numbered appropriately, and amend the criteria by adding five points each to the Local Preference and Local Clientele section and removing 10 points from the “bonus” section.

AYES: 4 NOES: 0 ABSENT: 1 (RV) ADOPT
RESO. NO. 2391-03

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY AMENDING
SELECTION CRITERIA FOR COMMUNITY DEVELOPMENT BLOCK GRANT
FUNDED PUBLIC SERVICES

Councilmember Valle returned to the meeting at this time.

B. Designation of Voting Delegate and Alternate for Special Meeting of the League of California Cities General Assembly (Resolution)

The Executive Committee of the League Board of Directors has called a Special Meeting of the General Assembly for Thursday, May 15, 2003 to consider one or more proposals prepared by the Board of Directors concerning the state budget and state-local fiscal reform. To expedite the conduct of business, each city council should designate a voting representative and an alternate who will be present at the meeting.

Mayor Green moved, seconded by Councilmember Fernandez to appoint Councilmember Dutra-Vernaci as Voting Delegate and Mayor Green as alternate, resolution numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0 ADOPT
RESO. NO. 2392-03

The title of the resolution adopted by this motion is as follows:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY APPOINTING
COUNCILMEMBER DUTRA-VERNACI AS VOTING DELEGATE AND MAYOR
GREEN AS ALTERNATE TO THE LEAGUE OF CALIFORNIA CITIES GENERAL
ASSEMBLY SPECIAL MEETING

C. Re-Engineering of Landscape and Lighting Assessment District #2

Tony Acosta, Deputy City Manager, gave the staff report and stated there is a need for Council to approve authorizing an agreement with MuniFinancial for the balloting and tabulation services.

Mayor Green moved, seconded by Vice Chair Elias to place the scope of services for Assessment Balloting and Tabulation Services contract on the agenda.

AYES: 5 NOES: 0 ABSENT: 0

John Haley questioned the amount of increase that can occur in a budget cycle; stated a need for categories and means for tracking categories and stated there is a need to know ground rules.

Barry Ferrier questioned the funding for street sweepers and whether this is included in the Landscape and Lighting District.

Hugh McNamara commented on the effectiveness of a good education program.

- 1) Resolution of the City Council of the City of Union City Declaring its intention to Conduct a Property Owner Balloting on the Matter of Increased Assessments, and to Levy Annual Assessments for Fiscal Year 2003-04, and Setting the Date, Time and Place for a Public Hearing on the Proposed Levy of Assessments for the District;

Councilmember Valle moved, seconded by Councilmember Fernandez to approve resolution, numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0 ADOPT
RESO. NO. 2393-03

- 2) Resolution of the City Council of the City of Union City Initiating Proceedings for the Annual Levy of Assessments for the Citywide Landscaping and Lighting District No. 2 for Fiscal Year 2003-04, Pursuant to the Provisions of Part 2 of Division 15 of the California Streets and Highways Code;

Councilmember Fernandez moved, seconded by Councilmember Valle to approve resolution, numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0 ADOPT
RESO. NO. 2394-03

- 3) Resolution of the City Council of the City of Union City to Preliminarily Approve the Engineer's Report, Fiscal Year 2003-04, for the Landscaping and Lighting District No. 2; and

Vice Mayor Elias moved, seconded by Councilmember Dutra-Vernaci to approve resolution, numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0 ADOPT
RESO. NO. 2395-03

- 4) Resolution of the City Council of the City of Union City Adopting Procedures Applicable to the Completion, Return and Tabulation of Assessment Ballots for the Citywide Landscaping and Lighting District No. 2 for the Fiscal Year 2003-04 Levy.

Councilmember Dutra-Vernaci moved, seconded by Vice Mayor Elias to approve resolution, numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0 ADOPT
RESO. NO. 2396-03

- 5) Resolution of the City Council of the City of Union City approving the Scope of Services: Assessment Balloting and Tabulation Services

Councilmember Valle moved, seconded by Councilmember Fernandez to approve resolution, numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0 ADOPT
RESO. NO. 2397-03

Councilmember Valle moved, seconded by Vice Mayor Elias to approve the use of a watchdog committee, i.e. Tree and Landscape Review Board to ensure that all monies collected by the City on behalf of the LLAD are being spent only on LLAD eligible expenses and in accordance with the adopted budget.

AYES: 5 NOES: 0 ABSENT: 0

REDEVELOPMENT AGENCY - NONE

AUTHORITIES/AGENCIES - NONE

CONSENT CALENDAR/RESOLUTIONS

Mayor Green requested Item A removed from the consent agenda.

Councilmember Valle requested Item D removed from the consent agenda.

Councilmember Fernandez moved, seconded by Vice Mayor Elias to approve Items B, C, E and F, numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0

The titles of resolutions and ordinance approved by this motion are as follows:

- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY APPROVING LETTER OF AGREEMENT ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING

ADOPT
RESO. NO. 2398-03

This resolution approves the Letter of Agreement between the City of Union City and the Union City Police Officer's Association regarding sharing of unanticipated savings for health care.

- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY APPROVING THE SECOND AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF UNION CITY AND THE PROFESSIONAL EMPLOYEES GROUP

This resolution approves the Second Amendment to the Memorandum of Understanding between the City and the Professional Employees Group covering the period from January 1, 2003 through December 31, 2003.

ADOPT
RESO. NO. 2399-03

- E. Final Reading: Ordinance No. 608-03: ORDINANCE OF THE CITY OF UNION CITY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF UNION CITY A-02-02

Rezone the subject property from an OS, Open Space, zoning classification on the Zoning Map for the residential portion of the project site and to a PF, Public Facilities, zoning classification for the fire station lot. The park extension to Shorty Garcia Park will remain as Open Space zoning classifications.

FINAL
ORD. NO. 608-03

- F. Rejection of Claim No. 532 and No. 540

Claim No. 532 was assigned to two claimants for the same incident, Yolanda Higareda and Rudy Visaya for alleged damage to their rear yard fences.

Claim No. 540 was filed by guardians for Brandon Soto regarding alleged injuries from an automobile accident.

Claims No. 532 and No. 540 were rejected by the earlier stated motion.

The title of Item A is as follows:

- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY ACCEPTING DEMOLITION AND SITE CLEANUP OF 31180 AND 31224 UNION CITY BOULEVARD FOR THE UNION CITY GYMNASIUM, CITY PROJECT NO. 02-12

Delta Oilfield Services, Inc. has completed the demolition and removal of six structures comprising of approximately 26,400 square feet of material. Following hazardous materials removal, construction of the gymnasium will begin.

Mayor Green removed Item A to find out the next step in the process.

Interim City Manager Larry Cheeves responded that the next step is hazardous materials removal.

Mayor Green moved, seconded by Councilmember Fernandez to approve Item A, numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0

ADOPT
RESO. 2401-03

- D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY APPROVING 2003-04 ACTION PLAN AND AUTHORIZING THE INTERIM CITY MANAGER TO SUBMIT THE 2003-2004 ACTION PLAN AND APPLICATION FOR THE UNION CITY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Each year the City Council adopts the annual Action Plan for Community Development Block Grant (CDBG) funding. The proposed Action Plan needs to be adopted in order to submit the plan to HUD the first week of May.

Councilmember Valle requested Item D removed from the consent agenda to in order to recuse himself from this item due to a conflict of interest with his position at Spectrum.

Mayor Green moved, seconded by Vice Mayor Elias to approve Item A, numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0

ADOPT
RESO. 2400-03

Councilmember Valle returned to the meeting at this time.

ORAL COMMUNICATIONS

There was no one present to speak under Oral Communications.

CORRESPONDENCE - NONE

APPROVAL OF BILLS - MONTH OF MARCH

A. Approval of warrants for payment for March 2003

Hugh McNamara questioned the voids on checks.

Vice Mayor Elias moved, seconded by Councilmember Valle to approve warrants for payment.

AYES: 5 NOES: 0 ABSENT: 0

SCHEDULED ORAL COMMUNICATIONS - NONE

ITEMS REFERRED BY COUNCIL

A. Oral Reports by Councilmembers on Meetings of County or Regional Boards and Commissions

Councilmember Dutra-Vernaci reported she had made reservations for the Legislative Action Days in May. Councilmember Dutra-Vernaci stated at the monthly meeting of the East Bay Division of the League of California Cities, the speaker was from the Center for Community Opinion, talking about going into communities and doing community polls regarding parcel taxes.

Councilmember Dutra-Vernaci reported the Housing Commission Authority will be adjusting their rates to landlords because of the lower rental rates.

GOOD OF THE ORDER

Vice Mayor Elias commented on the draft agenda provided for the joint work session between the Council and the Planning Commission and confirmed the start time of 7:00 p.m.

Councilmember Valle requested information as the status of the Human Relations Commission at the present time (quorum available).

Councilmember Valle commented on the agenda with Planning Commission and the topics for future discussion.

Councilmember Fernandez commented on an individual would who be willing to temporarily be appointed to the Human Relations Commission if necessary. Mayor Green stated the individual could apply and be appointed to the Commission, and then resign at the appropriate time if necessary.

Councilmember Fernandez moved, seconded by Councilmember Dutra-Vernaci to adjourn meeting at 8:26 p.m. to April 29, 2003 for a work session with Planning Commission.

AYES: 5 NOES: 0 ABSENT: 0